

Amendments to the Claims:

1. (Previously Presented): An isolated amino acid sequence comprising amino acids 17 to 180 of SEQ ID NO: 2.
2. (Previously Presented): The sequence according to claim 1, comprising SEQ ID NO 2.
3. (Cancelled)
4. (Previously Presented): An isolated nucleic acid that encodes the sequence according to claim 1.
5. (Previously presented): The nucleic acid according to claim 4 comprising SEQ ID NO: 1.
6. (Cancelled)
7. (Previously Presented): An isolated cDNA fragment comprising the nucleic acid according to claim 4.
8. (Previously presented): A recombinant DNA molecule comprising the nucleic acid according to claim 4, under the control of a functionally linked promoter.
9. (Previously presented): A live recombinant carrier comprising the nucleic acid according to claim 4.
10. (Previously presented): A host cell comprising the nucleic acid according to claim 4.

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Supplemental Response and Amendment to Final Office Action of April 16, 2009

11 – 18. (Cancelled)

19. (Previously presented): A diagnostic test for the detection of a nucleic acid associated with an organism of the family Babesiidae, comprising a nucleic acid sequence selected from the group consisting of:

- (i) SEQ ID NO: 1;
- (ii) a fragment of SEQ ID NO: 1 at least 15 nucleotides long; and
- (iii) a nucleic acid that is complementary to (i) or (ii).

20. (Previously presented): A diagnostic test for the detection of antibodies against an organism of the family Babesiidae, comprising the sequence according to claim 1.

21. (Previously presented): A diagnostic test for the detection of antigenic material from an organism of the family Babesiidae, comprising an antibody against the sequence according to claim 1.